



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

20 JAN 2002

Paper No. 13

In re Application of :
T. Slattery et al. :
Serial No. 09/365,243 : DECISION ON PETITION
Filed: July 30, 1999 : REGARDING WITHDRAWAL
For: METHODS AND APPARATUS FOR : OF ATTORNEY
COMPUTER BASED TRAINING :
RELATING TO DEVICES :

Counsel has filed a petition on January 18, 2002, seeking to withdraw from prosecution in this application. The petition is DENIED.

As noted at MPEP 402.06, the usual requirement is that there be at least thirty days between approval of a request to withdraw as attorney and the date of expiration of a running time period. While this requirement is now construed as permitting withdrawal when an extension to a running time period is available so as to achieve the thirty days between approval of a request to withdraw and the expiration date, it is noted that this application had an Office Action mailed on August 6, 2001, with a response being due on or before November 6, 2001, although the response period could have been extended until February 6, 2002.

Accordingly, since there are not thirty days remaining between approval of the withdrawal and the expiration date of the running time period, the withdrawal cannot be permitted.

WITHDRAW DENIED.

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